

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Debra Ober,

BKY 16-40961 – KHS

Debtor.

Chapter 7

NOTICE OF SETTLEMENT

To: The United States Trustee, all creditors and other parties in interest.

NOTICE. On August 2, 2016, or as soon thereafter as the transaction may be completed, and subject to objection under applicable rules, the undersigned trustee of the estate of the debtor named above will settle the dispute described below as follows:

The trustee has reviewed the debtor's scheduled value for the real estate located at 11798 155th Street, Glencoe, MN (the "Glencoe Property") and believes that the actual value of the Glencoe Property exceeds the scheduled value and thus causes debtor to exceed her allowable exemption pursuant to 11 U.S.C. § 522(d)(1). The trustee believes that as a result of the debtor exceeding the allowable (d)(1) exemption, certain assets of the debtor including the debtor's scheduled First Minnesota Bank checking account balance of \$1,129.63, debtor's 2015 income tax refunds of \$2,458.00 and garnished funds by Melsha Construction, Inc. of \$2,367.00 exceed the debtor's allowable exemption pursuant to 11 U.S.C. § 522(d)(5). The debtor disputes the Trustee's claims regarding the value of the Glencoe Property. The trustee and the debtor have agreed to settle this matter as follows:

The debtor shall pay the sum of \$1,500.00 to the Trustee no later than August 1, 2016 and the debtor hereby waives her claimed exemption in the garnished funds by Melsha Construction, Inc.; and further agrees to cooperate with the Trustee in connection with his avoiding and recovering these nonexempt garnished funds.

The trustee believes the foregoing settlement to be in the best interest of the estate since this represents a fair resolution and further the settlement spares the cost, delay and risk of an adverse result in any contested litigation.

OBJECTION: MOTION: HEARING. Under applicable rules, any objection must be in writing, be served on the undersigned trustee and the United States Trustee, and be filed with the clerk, not later than 12:00 o'clock noon on the day before the date set for the settlement. If an objection is timely served and filed, the court will hold an expedited hearing on the objection with reduced notice of the hearing. The hearing will be scheduled by the trustee with notice by the trustee to the objecting party and the United States Trustee. If an objection is made or an order is required, the undersigned trustee moves the court for such orders as may be necessary or appropriate.

U.S. Bankruptcy Court
301 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

U.S. Trustee
1015 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

John R. Stoebner, Trustee
120 South Sixth Street, Suite 2500
Minneapolis, MN 55402

Dated: July 12, 2016

/e/ John R. Stoebner
John R. Stoebner, Trustee
120 South Sixth Street, Suite 2500
Minneapolis, MN 55402
(612) 338-5815